

(46)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

CP NO. 359/99
OA NO. 2390/96

New Delhi, this the 3rd day of August, 2000

HON'BLE MR. JUSTICE V.RAJAGOPALA REDDY, VICE CHAIRMAN (J)
HON'BLE MR. GOVINDAN S. TAMPI, MEMBER (A)

In the matter of:

1. Sh. Hari Gopal,
S/o Sh. Parsh Ram,
Welder.
2. Sh. Rameshwar Dayal,
S/o Sh. Pathey,
Aligner.
3. Sh. Suraj,
S/o Sh. Maha Deo Parsad,
Welder.
4. Sh. Nane Lal,
Sh. Gokal,
Lutor.
5. Sh. Mahendra Kumar,
Sh. Gaj Raj Singh,
Grinder.
6. Sh. Har Prasad,
S/o Sh. Mahdeo,
Moulder.
7. Sh. Shiv Dutta,
S/o Sh. Shram Dutta,
Blacksmith.
8. Sh. Ram Kumar,
S/o Sh. Vishamber
Fitter
9. Sh. Suresh Dutta,
S/o Sh. Baldeo Dutta,
Blacksmith.
10. Mohd. Hasan,
S/o Sh. Abdul Wahib,
Mason. Petitioners
(By Advocate: Sh. B.S.Mainee)

VS.

Union of India through
1. Sh. S.P.Mehta,
The General Manager,
Northern Railway,
Baroda House,
New Delhi.

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2. Sh. P.C.Sharma,
The Divisional Railway Manager,
Northern Railway,
Moradabad (UP).
Sh. Bijender Singh
3. The Assistant Engineer,
Northern Railway,
Najibabad (UP). Respondents.
By Advocate: Sh. R.L.Dhawan)

ORDER (ORAL)

By Hon'ble Sh. V.Rajagopala Reddy, Vice Chairman (J)

Heard the counsel for the petitioner and the
respondents.

2. The directions given in the order of the Tribunal are
as under:-

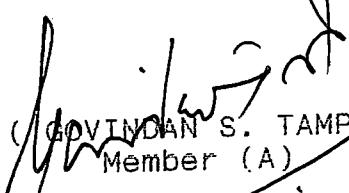
"1. The order of the respondents, Annexure
A-3, in so far as it relates to the
absorption of applicants in Group 'D' post is
set aside;

2. The respondents are directed to consider
the absorption of the applicants in Group 'C'
posts as and when vacancies are available
within 25% of promotion quota in Group 'C'
posts in the various trades in which the
applicants are working respectively as
skilled artisans; and

3. Till such time vacancies arise in Group
'C' post against which the applicants can be
considered, they may be adjusted against a
Group 'D' post protecting their pay in Group
'C'."

3. CP is filed complaining that these directions were not fully followed. It was stated ^(in the reply) that the case of the petitioners have been considered for absorption in 25% vacancy in Group 'C' but as there are no vacancies at present in the said quota the petitioners could not be considered for promotion. It is further stated that as directed the applicants' pay has been protected in Group 'C'.

4. In view of the above, we are satisfied that the directions have been complied with. The contention of the counsel for the petitioners that they should continue the petitioners in Group 'C' is not tenable. No such direction is found in this order. CP is, therefore, dismissed. Notices discharged.


 GOVINDAN S. TAMBE
 Member (A)

'sd'


 (V.RAJAGOPALA REDDY)
 Vice Chairman (J)